

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, February 14, 2002, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Rowe, Commissioner

Commissioner Anderson was at FERC, but left written votes with the Commission Secretary. Commissioner Brainard was absent at TAC, but left his proxy with Commissioner Feland.

APPEARANCE

Steve Vick
Utility Division

(64) In the matter of Montana-Dakota Utilities, Docket No. D98.1.4; On January 22, 2002, Montana-Dakota Utilities Co. (MDU), filed its Contract Service Rate 35, Volume 3 Second Revised Sheet No. 23 updated to reflect the terms of the Service Agreement between MDU and Encore Acquisition Inc. The Contract Service Rate 35 for the period March 2, 2002 through March 1, 2003 is 3.414¢ per Kwh down (.062)¢ from the PPI adjusted rate currently in effect of 3.4763¢ per Kwh as approved by the Commission on February 20, 2001 in Order No. 6055a. The most recent Producer Price Index by the Bureau of Labor Statistics used for this agreement is December's 137.2. MDU requests this decrease in rates be effective from March 2, 2002 through March 1, 2003. Commissioner Stovall moved to approve the rate decrease. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye. Commissioner Feland cast Commissioner Brainard's proxy aye.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(65) In the matter of TN2128; Shirley Hamilton dba Roundup Taxi & Delivery Service, Roundup, Montana requests suspension of PSC No. 9415 for a six (6) month period, January 31, 2002 to July 31, 2002.

SUB A Class B – Passengers between all points and places in Roundup, Montana and a seventy-five (75) mile radius there.

LIMITATIONS: All transportation movements must originate or terminate within Roundup, Montana and a five (5) mile radius thereof.

Commissioner Stovall moved to approve the six-month suspension. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye. Commissioner Feland cast Commissioner Brainard's proxy aye.

(66) In the matter of TN2129; Craig D. Martinson, Trustee in Bankruptcy, requests suspension of PSC No. 304, Ridle Lawson Enterprises, Inc. dba McDonald North American, Inc., Billings, Montana for a six (6) month period, January 31, 2002 to July 31, 2002.

Class B - Household goods (as defined by Commission), between all points in the State of Montana over any public highways.

SUB A Class C - Property within the City of Helena, Montana, and to or from points tributary thereto, but within a distance not exceeding ten (10) miles in any direction from said town.

Limitations: The transportation of property between points served by rail carriers or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited.

Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB B Class C - Property in the City of Billings, Montana, and to or from points immediately tributary thereto.

Limitations: The transportation of property between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited.

Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB C Class C - 1) Major appliances, 2) Television sets, 3) Miscellaneous items such as fireplaces, stereos and related lines from Billings, Montana to all points and places located in the following counties:

Glacier, Toole, Pondera, Teton, Hill, Chouteau, Cascade, Lewis & Clark, Missoula, Ravalli, Deer Lodge, Beaverhead, Park, Silver Bow, Madison, Gallatin, Broadwater, Meagher, Judith Basin, Garfield, Wheatland, Sweetgrass, Dawson, Fallon, Custer, Powder River, Rosebud, Big Horn, Treasure, Valley, Phillips, Musselshell, Fergus, Golden Valley, Stillwater, Carbon and Yellowstone.

Limitation: Transportation limited to the account of Interstate Distributing Company.

Commissioner Stovall moved to approve the six-month suspension. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye. Commissioner Feland cast Commissioner Brainard's proxy aye.

(67) In the matter of the approval of Commission Minutes; Commissioner Rowe moved to approve the Commission Minutes for the week of February 4, 2002. Commissioner Stovall seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, February 14, 2002, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Rowe, Commissioner

Commissioner Anderson was at FERC, but left some written votes with the Commission Secretary.
Commissioner Brainard was at TAC, but left his proxy with Commissioner Feland.

APPEARANCE

Martin Jacobson, Ryan Morton

(68) In the matter of the Commission's discussion of Project Telephone and Triangle Telephone Cooperative additional EAS with Qwest Corporation' s Billings region, Docket No. D99.5.129; Commissioner Stovall moved to approve issuance of the Final Order. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye. Commissioner Feland cast Commissioner Brainard' s proxy aye.

APPEARANCE

Monica Tranel, Ryan Morton, Kate Whitney

(69) In the matter of the Commission's discussion of Qwest Corporation and Regal Diversified Application for Approval of Interconnection Agreement, Docket No. D2001.11.153; Commissioner Rowe moved to approve the agreement with changes outlined by staff. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Anderson voted aye. Commissioner Feland cast Commissioner Brainard' s proxy aye.

APPEARANCE

Monica Tranel, Ryan Morton

(70) In the matter of the Commission's discussion of Qwest Corporation' s notice to customers regarding sharing of customer' s account information (CPNI); Commissioner Rowe moved to send the letter to the Federal Communications Commission. Commissioner Stovall seconded the motion, which passed with a vote of 4-0. Commissioner Feland cast Commissioner Brainard' s proxy aye. Commissioner Anderson did not leave a vote on this issue.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, February 14, 2002, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Rowe, Commissioner

Commissioner Anderson was at FERC, but left some written votes with the Commission Secretary.
Commissioner Brainard was at TAC, but left his proxy with Commissioner Feland.

APPEARANCE

Mike Lee, Ryan Morton

(71) In the matter of the Commission's discussion of Qwest Corporation' s application for Section 271 approval, Public Interest Requirements, Docket No. D2000.5.70; Commissioner Rowe Stovall moved to issuance the Preliminary Report Final Order. Commissioner Stovall seconded the motion, which passed with a vote of 4-0. Commissioner Feland cast Commissioner Brainard' s proxy aye. Commissioner Anderson did not leave a vote on this issue.

APPEARANCE

Wayne Budt, David Hoffman

(72) In the matter of the Commission's discussion of staff out-of-state travel; Commissioner Rowe moved to approve staff attendance (Kate Whitney) at the two ROC OSS meetings. Commissioner Stovall seconded the motion, which passed with a vote of 4-0. Commissioner Feland cast Commissioner Brainard' s proxy aye. Commissioner Anderson did not leave a vote on this issue.

APPEARANCE

Martin Jacobson, Wayne Budt

(73) In the matter of the Commission's discussion of Montana Solid Waste Contractors and Browning-Ferris Inc. complaint against MacKenzie Disposal, Docket No. T-00.4.COM; Commissioner Rowe moved to authorize staff to enter into a stipulation subject to nonsubstantive editing. Commissioner Stovall seconded the motion, which passed with a vote of 4-0. Commissioner Feland cast Commissioner Brainard' s proxy aye. Commissioner Anderson did not leave a vote on this issue.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)